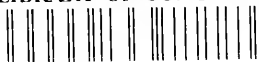


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THE SPEECH OF

SAMUEL DAVEISS, ESQ.

Delivered in the Senate of Kentucky, on the 6th day of February 1823, on the Resolutions offered by Mr. Beatty of Pulaski, as a substitute to the Resolutions reported by the Committee on Internal Improvements. The 5th Resolution being under consideration in the following words, to-wit:

"This legislature views with deep concern and feelings of just indignation, the efforts that are now making throughout the United States, to blast the reputation of the distinguished members of Congress from this state, who voted for John Q. Adams to be President of the United States. They have no hesitation in saying, it is their confirmed opinion, from great deliberation and a full examination of all the facts and evidence adduced, that the charges of bargain, sale and corruption, in the election of John Q. Adams, are utterly false and malicious that they are brought forward, and ENDEAVORED to be SUSTAINED for party purposes, AND TO ELEVATE General Jackson TO THE OFFICE OF PRESIDENT OF THE UNITED STATES."

Mr. POPE moved the following amendment, viz.

And this General Assembly feel it their duty further to declare, that the charges made against John Q. Adams, before the last Presidential election, in the western country, in the public prints and pamphlets, that he was hostile to the rights and interests of the west, and that he attempted, in the negotiation at Ghent, to sacrifice or prejudice the rights or interests of the western country, are utterly false, and were brought forward and circulated to destroy the confidence of the western people in the said John Quincy Adams, and to promote the views of a rival candidate.

Mr. DAVEISS rose and said; That he could not vote for the amendment offered by the honorable gentleman from Washington, as he had been taught to believe, from every thing he had seen in the public prints or otherwise, that Mr. Adams had long been an enemy to the West, and had attempted to cede away the navigation of the Mississippi to the British government, at the treaty of Ghent. These were the declarations of Mr. Clay and his friends anterior to the Presidential election. (Mr. D. was here interrupted by Mr. Wickliffe, who denied the charge of Mr. Clay's having ever said any thing about Mr. Adams, and called upon the gentleman from Mercer to furnish the house with some responsible witness to support the statement he had made.) Mr. Daveiss said that he had the evidence at hand. I will take the liberty of presenting to the house, certain numbers addressed to the people of Ohio under the signature of Wayne, which were published in the Cincinnati Gazette, in the year 1822, and afterwards republished in the Argus of Western America. These numbers said Mr. D. I now hold in my hand. (Mr. Wickliffe again interrupted Mr. Daveiss, by observing that he had called upon the gentleman for a responsible witness, whose name would be surrendered up.) Mr. Daveiss said that he hoped the gentleman would have patience; before he was done he would render the evidence complete. I state, continued Mr. D. upon

the most unquestionable authority, that these numbers were written by a citizen of Kentucky, and the manuscript sent to Mr. Clay. How they afterwards made their appearance in the Cincinnati Gazette, will be for Mr. Clay to account. I am now ready to prove the fact, if the gentleman from Fayette requires it. The proof is now within the walls of this house. I pause to see if the friends of Mr. Clay will call for the proof * * * * *. These numbers, particularly the third and fourth, present Mr. Adams in a most odious point of view to the people of the West,* and had the effect to prostrate him, in that state as well as Kentucky. In addition to this, we have already proved that Mr. Clay paid one hundred dollars to Mr. Tanner, to publish in pamphlet form, the Letters addressed by Amos Kendall to John Quincy Adams. Most of the information which Mr. Kendall obtained, in relation to that business was from Mr. Clay himself, as proved by Mr. Kendall, the truth and

**Extract from letters, published in the Cincinnati Gazette, and republished in the Argus, on the 14th and 21st November, 1822.*

1st Ohio presents no candidate for the Presidency at the approaching election. New York, with whose interest, next to those of her sister states in the west, Ohio is most intimately connected, offers no claimant whose prospects are not absolutely hopeless. At the head of those whose pretensions are entitled to our serious consideration, is John Quincy Adams, the present Secretary of State! Will Ohio choose him? What interest has he shown for your roads and canals? Can it be expected that he who would open to our rival and our enemy, the navigation of those canals dug by the hand of God, for the use of the increasing millions of Western America, will promote our trade by artificial ones? Instead of opening new avenues for our commerce, is it not to be feared that in some future treaty, to secure some paltry privileges to an eastern interest; he would render those which already exist a curse rather than a blessing. Our frontiers can testify that we want not those men at the helm of the nation, who would for any consideration, open new channels for British influence among our northern and western Indians. The horrors of past wars are not forgotten, and you will pause and count the value of many a brave man's life, before you raise to power one whose unfeeling policy would crimson your fresh fields with the blood of your border brethren, and light the midnight forest with the flames of their dwellings. Men who would think of concessions so disastrous, are unworthy the support of Ohio; much more so they who would reduce them to a serious proposition. The navigation of the Mississippi is too important to be bartered for the privilege of fishing in the British waters. It is giving our wives and children for fish, and bartering the blood of our citizens for money. Conceal, explain and sophisticate as he will, this was the tendency of the proposition which was agitated at Ghent. But was this surprising? Under the same auspices, one of the most fertile provinces of the west adequate to the formation of two states, was given to the Spaniards; the state of Louisiana, one of the most important and weakest points of the Union was made a frontier, and exposed to sudden invasion from the adjoining Empire. Is it a matter of deepest concern with us to exterminate the British influence among the northern and western Indians! The blood of slaughtered friends cry out aloud to us from the ground, "it is." The policy of Mr. Adams introduces the British trader to the wigwam by opening to him, under the guardianship of a treaty, the navigation of the Mississippi. Shall we sanction this by sustaining him? Is it a matter of the last moment to us, to protect our own navigation of the Ohio and Mississippi? Of what value is the Ohio or Mississippi to us, if Louisiana be occupied by an enemy? Yet Mr. Adams is of the administration, which, in the traffic of territory, has made Louisiana a frontier. With such principles John Q. Adams can never receive the support of Ohio. He is too ignorant of our interests or he disregards them."

Extract. "The importance of having western men in the national councils, is in all these situations where the interests of this section of the Union are brought in question, was never so strongly exemplified as in the transaction atten-

correctness of which, was endorsed by Mr. Clay, in giving the information, and aiding in their republication. I will here call the attention of the house to a few extracts, from that pamphlet.

1st Letter, page 1st. "Against Mr. Clay, you have made charges, which, if true, must degrade him in the estimation of his countrymen, and if not true, ought to disgrace you. In addition to numerous insinuations scattered throughout your book, you have, in the introduction, charged him directly with having, at Ghent, 'insisted, in principle, upon the sacrifice of an Eastern for the benefit of a Western interest,' at the same time asserting, that the national interest which Mr. Clay thus insisted on sacrificing, was, compared with that for which the sacrifice was intended, as 'a million against a cent.'"

This is a serious charge. If it be true, Mr. Clay has compromised the interests of his country and does not deserve its confidence. If it be not true, you have borne 'false witness against your neighbor,' and deserve universal reprobation. That it is not true, we are bold to assert, and we will prove our assertion by your own declarations."

Again page 7. "Letter ix will be supplemental, in which we shall endeavor to show, as well by this as other transactions, that you feel a direct hostility or total indifference to the interests of this section of the Union, and of course are not fit to preside over its destinies."

Letter 8th, page 90. "The repetition of such scenes would have been the fruit of your policy. It is remarkable, that a part of the Rickaree Indians on the distant Missouri, in their late attack on a party of the Missouri Fur Company, which cost the lives of thirteen American citizens, were armed, as General Ashley tells us, with 'London Fuzils.' These they unquestionably obtained before and during the late war from the British traders, either as presents or in exchange for skins: and will you still contend that the navigation of our western rivers by British subjects, leading thus to the ruin of our trade and the murder of our citizens is 'no injury to us!' Language fails when we would express our abhorrence of the policy which you have pursued, and the mind is bewildered in fixing the measure of justice which is due to you from the nation for persevering in its justification. Had you acknowledged the dangers of admitting the British to the navigation of the Mississippi and justified the offer by showing that it was counterbalanced by advantages elsewhere gained, you might have been pardoned for error or excused for ignorance. But you have denied that this navigation has been or would be any injury to us, when you know that it has produced and would continue to produce, the robbery and murder of our citizens. You have attempted to barter our blood—not, as you acknowledge, to purchase any new right—but to

ding the treaty at Ghent. It was proposed to open the Mississippi, throughout its whole extent, to the navigation of British subjects; thus giving them the most direct access to those numerous and warlike tribes of Indians which border on our northern and western frontier. That any American statesman, should for a moment, have entertained so fatal a project is as strange as the fact is alarming. To the presence of an able western man, may we attribute the defeat and abandonment of that atrocious proposal. But for the exertions of Henry Clay, the seeds of war might now have been sowing along our northern and western borders, which at no distant day, would have produced an abundant harvest of tears and blood. He found that a majority had resolved to make the fatal proposition. With a firmness which should endear him to the people of the west; he protested that he would sign no treaty which contained a stipulation so repugnant to his country's honour, and so dangerous to her peace. This firmness had the desired effect.—The illustrious and lamented Bayard changed his mind, and then the west was saved. The danger we thus escaped, should sink deep into our hearts, and teach us a lesson as lasting as our lives. What would have been our fate, had not a western man been one of our commissioners at Ghent! The imminent danger, there averted, should admonish us not to trust our dearest rights wholly in the hands of strangers. It shows the interest we have in placing a distinguished western man at the helm of the nation, and the justice of distributing to every section, its due share in foreign missions, as well as in the cabinet itself."

"WAYNE."

secure one which already exists, from wanton violation. You look to the West for justice—the West looks for it to the East. She knows, that the East does not want her blood, and she calls upon her elder sister to protect her against those statesmen whose policy would dismember her territory, destroy her trade and compromise her security.”

Letter 9, page 99. “Your hostility to western interests again burst forth at Ghent. In trepidation, lest, perchance, the people of New-England lose the liberty of fishing in British waters, you forget the sufferings and dangers of the bleeding west, the obligations which you owed to your adventurous brethren in this section of the Union, and even your positive instructions. When called on to vindicate your needless and unauthorised concessions, you equivocate, conceal facts, contradict yourself, impeach the integrity of your colleagues, attempt to prove our right to navigate the Mississippi a mere conditional British grant, while you shudder at the application of the same principle to the fishing liberties; and finally assert that the Western country had no interest at stake; that the navigation of our river never had been, and never could be of any injury to us, or benefit to the British; thus adding insult and mockery to abandonment and injustice.”

It certainly cannot be the object of the gentleman from Fayette, to exclude all other evidence of Mr. Clay's opinions, in relation to Mr. Adams than that which is merely oral. Written evidence has always been considered the best. It is from those manuscripts which were taken from the pocket of Mr. Clay; as well as from the letters addressed to Mr. Adams, which were published in pamphlet form, that I prove conclusively the opinions of Mr. Clay in relation to Mr. Adams before the last Presidential election. Gentlemen will have no alternative; they must either admit the truth of the charges made by Mr. Clay against Mr. Adams, or else they must convict Mr. Clay of basely fabricating the charges made against Mr. Adams for the purpose of putting him down. If they were not true, permit me to ask every honorable gentleman in this house, if it was not the duty of Mr. Clay, to have publicly declared, as an act of common justice to Mr. Adams, that the charges made were untrue. Did he do so? Was he heard upon any occasion to contradict those statements as mere fabrications? No: so far from having done so, he was actively engaged, in furnishing information to the writer, and contributing to their publication and circulation. Mr. Clay was the only man in the Western country, who possessed the means of satisfying the public mind as to the truth or falsehood of those charges in relation to the treaty at Ghent. Indeed, his mere silence was calculated to satisfy all that the charges were true. No one seemed to doubt their truth. But upon the contrary the charges were almost universally believed by every one. And it is only now when it has become necessary to support Mr. Adams, that we are to have a new set of beliefs upon this subject. But I will show that even the gentleman from Fayette, in 1824, entertained the same opinion in relation to Mr. Adams. In his speech in the House of Representatives, upon the subject of electing a Senator to the Congress of the United States, he spoke of Mr. Adams as an “Apostate Federalist,” & an enemy of the Western Country. But he is now ready to throw away his former opinions, & call in question the purity of the opinions of those, who now think as he did then. Yet Mr. Sprague

ker, the short period of three years, has made a wonderful change in the opinions of some gentlemen. At that time the name of Mr. Adams, as *President of the United States*, filled their minds with a kind of horror.—The ridiculous value fixed by him, to the right of the British government to navigate the Mississippi, when compared to the value of the fisheries, was in his estimation, bragging "*a million against a cent.*"—The Fisheries were estimated at one million, the navigation of the Mississippi at one cent. This was in the mouth of every one. None doubted the effect which Mr. Adams' policy would have had upon the people of the Western Country, by permitting British traders to stir up the Indians, to make war upon our north and north-western frontiers. It is a fact well known that during the late war, it was generally believed that British traders had stirred up the Indians, to make war upon our defenceless frontiers, and murder our women and children. After the battle of Tipacanoe, as well as my recollection now serves me, General Harrison, in one of his reports, stated that the Indians had been furnished with a particular description of guns and powder, which they must have got from the British traders. *Those whose friends perished in the late war, recollect with sensibility these circumstances.* They could feel no other than the utmost detestation, at a course of policy, which went to surrender the navigation of the Mississippi, that mighty stream, which, with its tributary waters, carries the products of about ten states to a foreign market. It is also well known, that during the last war, most of the savage tribes, were the allies of Great Britain. Mr. Adams could not have been ignorant of these facts at the treaty of Ghent.

But we are now called upon, by a solemn vote of this house, to place the seal of falsehood upon all that has been said in relation to Mr. Adams. Are gentlemen now prepared to wheel to the right about, and declare that all that Mr. Clay and his friends have said upon this subject is untrue? Are they about to proclaim to the American people, that these statements, although the information was furnished by Mr. Clay, is a base slander upon Mr. Adams? Is that the point of view in which they are willing that Mr. Clay should be considered? Are they now ready to throw him away and take Mr. Adams as the man of their council?—Or will they rather say, that Mr. Adams is the man who Mr. Clay said he was, an "apostate Federalist," an enemy to the West, who was willing to barter away the blood of our citizens, to secure the liberty of fishing in British waters? For one, I believe what Mr. Clay said. The many important facts connected with these statements prove their truth. For my own part I can view it but a little short of insult, to ask this house to recommend Mr. Adams to the American people, to preside over their destinies for the next four years. We will presently see how gentlemen will vote upon this subject, and I trust they will prove their faith by their works.

Mr. Daveiss having sat down and some further discussion having taken place,

The question was then taken on the said amendment which was decided in the negative. The Speaker voted in the negative.

The yeas and nays being required thereon by Messrs. Daveiss and Garrard, were as follows, to wit:

Yea—Messrs. Bently, Cunningham, Critcher, W. Green, Garrard, Hardin,

Hickman, M'Connell, M'Mullan, Muldrow, Pope, Summers, Taylor, White, Woods, and Wickliffe—16.

Nays—Messrs. Allen, Cockerell, Daveiss, Dudley, Daniel, Faulkner, Fleming, Given, J. Green, J. Hughes, A. S. Hughes, Manpin, Rodman, Slaughter, Smith, and Wood—16.

The Speaker having announced that the question would be upon the adoption of said resolutions,

Mr. Daveiss again rose and said, that he had little expected, after the parade which had been made in relation to Internal Improvements, at the commencement of the session, that the report of the committee upon that subject would have been substituted by a set of Whitewashing resolutions which has no connection with the original subject—instead of the Senate being engaged in maturing a system of Internal Improvements, suited to the condition of the country—applying the funds of the state to usefull and beneficial purposes. we have been compelled to engage in the investigation of a subject which the Senate has no jurisdiction of—and we are now told to my utter astonishment by gentlemen in the opposition, that the Jackson party in the House, are chargeable with this unwarrantable proceeding. This unjustifiable charge, outdoes even the resolutions themselves. Who began this business? Who was it that introduced these resolutions? Not one of the Jackson party, but the honorable gentleman from Pulaski (Mr. Beatty) as a species of indictment, against the whole Jackson party, not only in Kentucky but throughout the United States, as base and malicious slanderers. Did the mover of this resolution imagine that it would pass in silence? Did he expect no evidence would be heard, although the Resolutions declare *that the Legislature has come to a confirmed opinion, from great deliberation and a full examination of all the facts and evidences adduced?* Did he intend the Journals to exhibit facts which never existed, and proclaim the same to the world as true? Surley we cannot suppose that such was the object of the gentleman; he must have intended what the Resolution plainly states, viz: that there was a full examination of all the evidences.

It was not until the next day after these resolutions were introduced that the gentleman from Green moved the resolution to send for persons and papers in order that the subject might be fully investigated. This resolution was not then adopted, but laid upon the table by a vote of the majority. I indulged the hope that the subject would never again be stirred, and I took the liberty of suggesting to several of those with whom I acted that it was our duty to act upon the defensive, and unless the subject was called up by our political opponents, we would not stir it. I was induced to this by the consideration that I did not wish to call in question the conduct of men who were not present. I knew that such an investigation was calculated to awaken angry feelings and probably cost the state two or three thousand dollars. For these as well as many other reasons, I felt desirous that the matter should rest. It was not, however, many days before the gentleman from Henderson (Mr. Lockett) very unexpectedly called up the resolution to send for persons and papers which was immediately adopted and a day fixed for the commencement of the investigation, by hearing witnesses at the bar of the Hon. c. I now considered the Jackson party as having no alterna-

tive, but to resist by all lawful means the unprovoked assault which was made upon them. I then believed that the investigation would cover these who provoked it, with *shame*, and expose the nakedness of their friends. Such has been the result if I am not most grossly deceived.

Mr. Speaker, what a ridiculous spectacle is now presented to our view by the resolution upon your table. Twenty Senators in this House have undertaken to arraign the sovereign people throughout the United States, who have thought proper to disapprove of the conduct of their Representatives, or the manner in which Messrs. Adams and Clay came into power. They have not only arraigned them, but they are about to pass sentence of condemnation upon them as a set of *base and malicious slanderers*. It is a little surprising that these modest patriots did not, in their zeal, resolve that the people should no longer think for themselves. I had supposed that the people had the exclusive right to approve or disapprove of the conduct of their public agents, and that the exercise of such a right would not be called in question by any portion of their representatives, however capricious it may have been; in this it seems I am mistaken. Twenty Senators have undertaken to think for a majority of the people of this state, and because they have thought different from them they are about to oust them by *sentence of ex-communication, from all the rights and privileges of freemen*. This arrogant assumption of power must every where be viewed with the most sovereign contempt. But here is another point of view in which this subject may be considered: Since the last Presidential election the people have every where expressed their opinions at the polls, and in many instances, turned their representatives out of office, because they disregarded the public will in voting for Mr. Adams. Such has been the case in Kentucky: Eight out of twelve of our representatives voted for Mr. Adams. So far from the people approving the act, several of them were turned out of office on that account and two thirds have since been elected in favor of Gen. Jackson. What shall we do? The opinion of the people is now about to be reversed by a vote of this House! They are plainly told that they are not capable of forming a correct judgment in relation to the conduct of their representatives; that they are either knaves or fools, and if they call in question the conduct of any of their representatives, in voting for John Q. Adams, they are a set of *malicious slanderers*. *Query*: In order to give this resolution its full effect, ought not the last election, so far as it respects Messrs. Trimble and Johnston to be declared void and they restored to all the rights and privileges of congress-men! for nothing is more clear than if the Senate has the legitimate right to reverse the acts of the people in their elective franchise, they have the right to carry their mandates into effect.

When we cast our eyes over the United States, do we not find the same spirit of dissatisfaction in relation to the last Pre-idential election, which exists in Kentucky—what has produced such a burst of indignation in almost every part of the union? What I say has produced those indignant feelings? The answer is: because Messrs. Adams and Clay got into office in opposition to the known will of the people.—It is that which has agitated the people from north to south, from east to

west, in this great republic.—It is that which has brought upon the floor of the two houses of Congress, a dead majority against the Administration—for it is the first time that any administration has been in a minority since the commencement of the government.

It is that dissatisfaction which has aroused the people into action: lead them to convene, and by their Resolves placed the seal of reprobation upon what has taken place. Notwithstanding all these irresistible evidences furnished by the people themselves, they are about to be denounced by a little party in this House as base and malicious slanderers. Yes Mr. Speaker, they are to be called malicious slanderers, because they have dared to enquire into the conduct of their public agents and hurled from office those who have disregarded their will, and violated their rights. If these are not the reasons which have led to the resolution now before us—I would be glad that gentlemen would inform us what other reasons there are which have actuated them in thus denouncing their political opponents? Do they believe that even the discreet men of their own party will give countenance to such an extraordinary proceeding? one which goes to destroy that sovereign agency of the people themselves in the affairs of government. Do you believe that any portion of the people, let them belong to what political party they may, will be willing to surrender up these essential rights which was purchased by the blood of their ancestors? Suppose you were to give them a plain unvarnished statement of facts; say to them that previous to the last presidential election the people of Kentucky through their legislature, requested their Representatives in Congress to vote for Gen. Jackson as President; That Mr. Clay and Mr. Adams were violent enemies of each other; That Mr. Clay had been secretly engaged for years writing Mr. Adams down in the western country—That several of our Representatives had denounced Mr. Adams as an apostate federalist, an enemy of the west, who had attempted to barter away the navigation of the Mississippi to secure the fisheries—that notwithstanding this, Mr. Clay with seven others of our Representatives disregarded the will of the people, and made Mr. Adams President, and Mr. Adams made Mr. Clay Secretary of State—That the people of Kentucky as well as in many other parts of the United States were indignant at the act; and at the next Congressional election turned a portion of their Representatives out of office considering the strange coalition between Messrs. Adams and Clay a kind of bargain and sale. And for this, we, a majority of the Senate of Kentucky, have denounced the people as malicious slanderers. And now we ask you to say if you do not entirely approve of what we have said. What do we suppose the answer would be from any man who possessed a decent respect for his own as well as the rights of his fellow-citizens? Would he not enquire from whence you derived such an authority? When and where has the people surrendered into your hands this power of becoming public Scribes of the people themselves? If such a right can be exercised with impunity, then indeed the people are no longer sovereign.

But we are told by Gentlemen in the opposition that there has been an entire failure of evidence. It would not have been surprising if such had been the case, when but a few days was afforded to collect evi-

Jence to unravel this mysterious transaction. It is not presumable that any gentleman has calculated to hear evidence of a *formal contract* or the production of a writing signed by the parties and duly attested by witnesses. It is only by circumstantial evidence that we can be expected to prove the motives that lead to the unholy alliance between Messrs. Adams and Clay.

But before we go into the particular evidence which has been heard, are we not at the threshold lead to enquire, how it happened, that Messrs. Adams and Clay, who were violent enemies anterior to the presidential election, should all at once become reconciled to each other. How could Mr. Clay become the friend of a man whom he considered an apostate federalist, opposed to the interests of the people of the West, and whose conduct he had been engaged exposing for years before that time. He either believed it, or he did not; that he did believe it is presumable, because a majority of this House has this day upon their oaths of office rejected the amendment offered by the gentleman from Washington. This House has solemnly endorsed the truth of those charges against Mr. Adams. Notwithstanding which, they are called upon, by a solemn vote to recommend Mr. Adams to the American people to preside over their destinies for the next four years. But again if those charges were untrue and Mr. Adams was conscious of his innocence, how could he take to his bosom the man who had been his secret defamer, by making him Secretary of State. There is a strangeness about this business which cannot be accounted for by any of the ordinary rules of calculation. It is worthy of notice, that every exertion has been used to stifle the evidence by the very gentlemen who have paradeffully told us that they defied the production of any. But no sooner is the evidence produced than their affrighted imaginations shrink from the investigation, and a kind of special pleading is introduced.—They even vote against the witnesses being sworn.* Yes, the very gentlemen who introduced the Resolutions, and who would have the Senate to say upon oath *that after a full examination of all the facts and evidence adduced, that the charge of bargain sale and corruption in the election of John Q. Adams, are utterly false and malicious*, is unwilling to

*Mr. Pope moved that Mr. Blair be sworn as a witness.

And the question being taken thereon, it was decided in the affirmative.

The Yeas and Nays being required thereon by Messrs. Daveiss and Pope, was as follows, to wit:

Yeas Messrs. Allen, Cockerell, Cunningham, Daveiss, Dudley, Daniel, W. Green, A. S. Hughes, Hickman, Lockett, Maupin, Pope, Selby, Summers, Smith and Wickliffe—16

Nays Messrs. Beatty, Faulkner, J. Green, Gibson, Hardin, M'Connel, M'Millian, Muldrow, Taylor, White and Woods—11

See Senate Journals of the last session, page 308.

Again Mr. Daveiss moved that Mr. Harrison be sworn as a witness.

And the question being taken thereon it was decided in the affirmative.

The Yeas and Nays being required thereon by Messrs. Hardin and Daveiss, were as follows, to wit:

Yeas Messrs. Allen, Cockerell, Cunningham, Daveiss, Dudley, Daniel, W. Green, A. S. Hughes, Hickman, Maupin, Pope, Selby, Summers, Smith and Wickliffe—15.

Nays Messrs. Beatty, Faulkner, J. Green, Gibson, Hardin, Lockett, M'Connell, M'Millian, Muldrow, Taylor, White and Woods—13

have the witnesses sworn, least perhaps, the truth would be exposed.— This disposition to prevent a fair enquiry is very clearly evidenced in excluding the statements of David White who was one of the members of Congress that voted for Mr. Adams.* We were told that we might prove the statements of any of the Members of Congress from Kentucky who voted for Mr. Adams, except Mr. White, and the pretext for excepting him is that he lives within twelve miles of the seat of government and could be called as a witness himself. If this exception was good, why was it not extended to David Trimble and Francis Johnston; both of whom are in the State and voted for Mr. Adams? Why permit us to prove their statements, when they could be equally brought and examined as witnesses. The process of this House will extend to any part of the State, so as to compel the attendance of witnesses. Does not every man of common sense see that this exclusion of evidence was founded in mere caprice and that no evidence would be admitted which could by any plausible pretext be prevented. But the absurdity of calling David White to acquit himself of a dereliction of duty must be apparent to all. It was well known that the statements of Mr. White had been very ex-

* Amos Kendall was also sworn, and in the progress of his examination, was requested by Mr. Pope, to state, what he had heard David White, one of the members of Congress from Kentucky say, were the reasons which induced him to vote for Mr. Adams as President of the United States?

Any answer to this question was objected to by Mr. Hardin, because, first, David White, the person alluded to in the foregoing interrogatory, lives within twelve miles of this place; secondly: because this Senate does not regard any thing that Mr. White may have said, going to prove guilt upon himself, because it is not considered that his character is in question here, in this investigation; thirdly: because of the total impossibility of confining his statements to himself alone, unconnected with other individuals implicated in the charge; and, fourthly; because the statement of Mr. White before the Senate, on oath, is better evidence than any loose unguarded statements he may have made when not on oath.

And the question being taken whether Mr Kendall, the witness, should answer the said question, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Daveiss and Hardin, were as follows, viz.

YEAS—Messrs. Allen, Barrett, Cockerill, Daveiss, Dudley, Daniel, J. Hughes, A. S. Hughes, Maupin, Pope, Rodman, Selby, Smith and Wood—14,

NAYS—Messrs. Beatty, Cunningham, Critcher, Fulkner, Fleming, Given, W. Green, J. Green, Garrard, Gibson, Hardin, Hickman, Lockett, M'Connell, M'Millan, Muldrow, Summers, Taylor, White, Woods and Wickliffe—21.

Mr. Daveiss then asked Mr. Johnson whether he did or did not he urseid David White state, some time before the election of Mr. Adams as President, that if he was elected, it was understood that Mr. Clay was to be made secretary of state.

Any answer to this question was objected to by Mr. Hardin, for the reason already assigned in the former objections to what David White should have said, and a reference is here made to said objections, and because the same question, in substance, has been decided three several times by the Senate.

And the question being taken, shall the question be answered by the witness? it was decided in the negative.

The yeas and nays being required thereon by messrs. Daveiss and Pope, were as follows, to-wit;

YEAS—messrs. Allen, Barrett, Cockerill, Daviess, Dudley, Daniel, J. Hughes, A. S. Hughes, Maupin, Pope, Rodman, Selby and Smith—13.

NAYS—messrs. Beatty, Cunningham, Faulkner, W. Green, J. Green, Garrard, Gibson, Hardin, Hickman, Locket, M'Connell, M'millan? Muldrow, Summers, Taylor, White, Woods and Wickhffe—19.

pleit as to the motives which induced him to vote for Mr. Adams.—In short his statements had been very candidly and honestly made, and calculated to remove all doubt upon the subject. I will not animadvert upon the illiberal observations made in relation to Mr. White by the gentleman from Nelson. I feel myself bound to say as an act of justice to Mr. White, that he did not merit the illiberal course which has been pursued towards him. I presume however, that his crime consists in his having told the truth in relation to this business.

I will now said Mr. Davess examine the evidence we have heard, and see what has been proved by others.

Several witnesses have proved that in the summer of 1824, while Mr. David Trimble was Electioneering for Congress, he was frequently heard to abuse Mr. Adams as *an apostate federalist, an enemy to the west, who had offered at the treaty of Ghent to cede away the navigation of the Mississippi to the British Government for the purpose of securing the Fisheries, and said if he ever voted for him, he would agree to be called a Federalist as long as he lived.*—It is also proved that Mr. Francis Johnston about the same time made similar declarations of his political dislike to Mr. Adams, arising from the same cause. Upon their return from Congress the next spring or summer in attempting to account to their constituents, why it was they voted for Mr. Adams, they both give the same reasons—& what were those reasons? *That they distinctly ascertained that if Mr. Adams was made President, Mr. Clay would be made Secretary of State.* This is the excuse which both offer for their strange inconsistent course, and thus it was that their strong opposition to Mr. Adams was overcome. But when we add to this that the Legislature had almost unanimously requested our members in Congress to vote for Gen. Jackson, when we have proved that Mr. Johnston a few weeks before the presidential election, stated that he had got a number of letters from home which told him to *stick to Old Hickory, and give them a western President what ever he did*; when no one can doubt but that Mr. Johnston distinctly understood the will of his constituents, as well as the wishes of his state, our astonishment is the more increased, and the only rational mode of accounting for their conduct, is in their own language, that they had distinctly ascertained, that if Mr. Adams was made President, Mr. Clay would be made Secretary, but that if Gen. Jackson was made President he would not.

Thus it was that the man who had been so bitterly denounced, as an apostate Federalist, an enemy to the West, who wanted to barter away the navigation of the Mississippi, was in a few weeks metamorphosied, into a pure patriot, a friend to the West, and a lover of all our rights.—Legislative instructions, as well as the will of the people were entirely disregarded, for the purpose of aggrandizing Mr. Clay, and the wishes of an individual had to be attended to, regardless of the public will,—Gen. Metcalf's declarations, go to prove the same facts. When told, after the Presidential election, that the vote for Mr. Adams would be an uphill business in Kentucky, he replied *"I fear we have done too much for our friend."* Early in January 1825, when speaking to Mr. Hitt, who was then at Washington City, in relation to the Presidential election, he observed that he knew but little more upon that subject at that

time, than when he came there: *we stand unanimously, we must know something how the cabinet is to be filled.* That knowledge was afterwards obtained as two of his colleagues have declared, by *distinctly ascertaining that if Mr. Adams was made President, Mr. Clay would be made Secretary of State*, all of which took place, according to the arrangement.—Mr. Adams was made President, and Mr. Clay his inveterate enemy was made Secretary of State. All this is done by the very men, who, but a few months before, were loudest in their denunciations of Mr. Adams. And they are now ready to cry,

“Now is the winter of our discontent, made glorious summer,
And all the clouds that lowered upon our house,
In the deep bosom of the ocean buried.”

No sooner had this new arrangement taken place, than a kind of general order was issued, for all to send in their adhesion; no stubbornness of temper is to be manifested, but they are to *love and hate* as it may suit the interest of Mr. Clay. All their former opinions in relation to Mr. Adams are to be thrown away; if not, by the resolution now before us, judgement of condemnation is to be entered up against all for their *contumacy*. And what is still more strange, some of those who are now most *intolerant* were ostensibly the devoted friends of Gen. Jackson, when the resolutions passed the Legislature of Kentucky in 1824, and by their vote declared that he was the second choice of the people of Kentucky—Mr. Adams had then no place in their affections, their fears were, lest he might work himself into office. I shall never forget said Mr. D. the observations of a distinguished gentleman who was advocating the passage of the Resolutions. To use his own language he said, *that he apprehended we were about to be sold like a Virginia out farm, with the stock of Negroes upon it.*—This was the language at that time; but oh, how changed. They are now ready, to bow with humble submission to the powers that be, and require every one to be as subservient as themselves.

It is also proved that three or four weeks before the presidential election, Mr. F. P. Blair, the intimate and confidential friend of Mr. Clay, and who resided in Frankfort, had by some means received information, that if Mr. Adams could be made President, Mr. Clay would be made Secretary. This, Mr. Blair communicated to several of his confidential friends, urging them to write to Mr. White, the member in Congress from the district, instructing him to vote for Mr. Adams.—Mr. Jephthah Dudley one of the persons to whom application was made, refused to do so, in as much, as it would be inducing Mr. White to do an act, in opposition to the known will of the State. Mr. Blair when called upon to be sworn as a witness, for the purpose of proving from whom he got the information already mentioned, refused to be sworn, or to give evidence, alledging that the information which he had received was confidential in the way of private correspondence: from whom it does not certainly appear, but the mind is necessarily led strongly to suspect that it was from Mr. Clay himself. No one can doubt but that it was from a source perfectly satisfactory to Mr. Blair, or he would not have so readily engaged, in procuring the necessary means, to accomplish an

object of such magnitude. Many letters I understand were written to Mr. White, for the purpose of effecting this object. Can we believe that any man would have written to Mr. White to disobey the Legislative instructions, if he had not previously understood distinctly what great object was to be effected by such a dereliction of duty. Where is the man that upon mere conjecture would incur a responsibility so great? We think it is hazarding but little to say that no such man could be found. But to say the least, it affords conclusive evidence *that a political marriage* was anticipated between Messrs. Clay and Adams, which afterwards took place.

I cannot avoid said Mr. D. noticing the course which some gentlemen have pursued upon this occasion. No sooner was Mr. Blair presented as a witness, and refused to be sworn, than we find the gentleman from Nelson (Mr. Hardin) rising in his place and informing the witness *that while a majority of the House would not oppose his giving evidence, yet they would not take any step to compel him to do so, that they were only desirous to hear willing witnesses.* This could be understood in no other way than telling the witness, *stuck to it my good fellow, dont give your evidence and we the majority of this House are determined not to compel you—we only want to hear willing witnesses.* The gentleman from Lincoln, seemed to have the most awful forebodings, as to what the witness would say. He seized upon the earliest moment to inform him, that confidence was a rare article these times, and that Mr. Blair deserved great credit for the high ground he had taken. It is a little surprising, that if gentlemen had such high confidence in the purity of all that has taken place, that they should encourage the witness to stand mute, and treat with contempt their own authority. If they had no fearful apprehensions that some important disclosure was about to be made, why not let us examine the witness, at least as far as it would have been just and proper to have gone; nor do I know that any gentleman would have wished the witness to have disclosed confidential matters. But it is believed that he knows many things, which he did not receive confidentially. We had to appeal to the majority, to enforce the authority of this house in order to compel the witnesses to give evidence—did they do so? They certainly did not—Had not the minority a right to expect when they entered into this investigation, that every fair and honorable course would be pursued, calculated to elicit the truth. Instead of that, we have found gentlemen voting that the witnesses should not be sworn.

But what are the evidences furnished by Mr. Clay himself? It appears from the statement of Maj. Carneal, that he was anxious that the Legislature should not pass resolutions, instructing our members in Congress to vote for Gen. Jackson. And what are the reasons he gives? Why for sooth, it would be calculated to trammel the representatives—that he himself was uncommitted and free to act.—I would suppose said Mr. D. that nothing would be more gratifying to a representative who was desirous of conforming to public will, then to know what were the wishes of his constituents, in order that he might not be left to the exercise of his own judgment, particularly upon a subject so important.—But it seems upon this occasion, Mr. Clay did not desire to know what

public sentiment was, but that every thing should remain as uncertain as possible. He did not wish, in the language of one of his political friends *to enter upon the political arena handcuffed*. He wanted as much sea room as possible, or in other words, he wanted Kentucky as a capital, upon which he could do a large trading business.

It is worthy of marked attention that a few weeks before the presidential election Mr. Amos Kendall received a letter from Mr. Clay, offering him a place at Washington City, *contingent upon the event of the presidential election*. This proves conclusively, that Mr. Clay was making calculations which depended upon that event, and upon that contingency, were his calculations based, of providing for Mr. Kendall. We presume there are but few who can entertain any serious doubts, as to the true meaning of this letter. It speaks a language pointing to events which shortly after took place.

I will call the attention of the House to the evidence of Mr. Oliver Keen and Maj. McAlear; they prove that in the fall of 1824, before Mr. Clay started on to Congress, he stated that he had written to Gen. Jackson to come to Lexington, and go on with him to Washington City. This statement can be proved by many others. It is a little surprising that if Mr. Clay disliked Gen. Jackson as much as he would wish the world to believe; if he had made up his mind before that time, to vote for Mr. Adams, that he should desire the company of that gentleman a journey of six or seven hundred miles, when it would only be calculated to embarrass them both. Did he intend to say to Gen. Jackson, although I have sought your company, and you have been kind enough to reciprocate my wish by coming, yet I do not intend to support you; Mr. Adams is the man I intend to support, be cautious how you converse upon the subject; let no fugitive expression escape your lips, for to be plain I do not like you, and why I sent for you I cannot well tell myself. Or did he intend if Gen. Jackson had attended to his invitation, to have tried if possible, to have raised himself into credit with him, by kind attentions, and in that way have had *two strings to his bow*. The conduct of Mr. Clay after he arrives at Washington City was very mysterious. He urges the Kentucky delegation not to commit themselves, *he wishes them to keep dark*, no suggestion that he had made up his mind before he left home, to vote for Mr. Adams—not a word of all this, but they are urged not to commit themselves. And why? because it enabled Mr. Clay to carry on a successful negotiation. So soon as it was *distinctly ascertained that if Mr. Adams was made President, Mr. Clay would be made Secretary*, then a majority of the Kentucky delegation comes out for Mr. Adams, the long silence is broke, Mr. Clay could not get to be secretary unless the will of the people was set at naught, and Mr. Adams made President. This is the apology offered by those who done the act, and the people are now indicted by this House, as malicious slanderers, for talking about it.

Mr. D. said that from the language of the resolution, it would seem that a majority of this House, was in a suitable frame of mind to ferret out slander and expose the defamours to public view. It is however to be regretted, that notwithstanding the *deep concern and feelings of indignation which this honorable body entertain in relation to slander*, that they

have been compelled upon their oaths of office to declare that all that Mr. Clay said and published about Mr. Adams previous to the last presidential election was true, and that Mr. Clay was justified in making those publications.—What evidence of reformation has since been furnished by Mr. Adams, if any, I have not heard; nor have I understood, that his political sentiments, had undergone any change in relation to the west. He got not a single electoral vote in the state at the last election, nor did he seem to be thought of by any one as the choice of the people of Kentucky—yet by some kind of magic, he has all at once become such a favorite (particularly with this honorable body,) *that with deep concern and feelings of just indignation*, they are about to declare and publish to the world, all as *malicious slanderous* who have had the audacity to complain of the unnatural coalition between Messrs. Adams and Clay. As long as Mr. Clay thought proper to abuse Mr. Adams, every thing was well enough, nor did it seem to enter into the mind of any one that Mr. Adams was *slandered*, although newspapers and pamphlets teemed with abuse, for more than three years. But no sooner does Mr. Clay connect himself with that gentleman than a wonderful work is performed. The tone is altogether changed, those who seemed most intolerant against Mr. Adams *while Mr. Clay was opposed to him*, become at once converted, and like all new converts, their hearts seem to overflow with love. Their sensibilities are so highly awakened for Mr. Adams on account of the many false and malicious slanders which he has suffered, *that with deep concern and feelings of just indignation*, they denounce all as malicious slanderous who differ with them in opinion.—Yes Mr. Speaker, the conversion of some gentlemen, has been almost miraculous—in November 1824, they were for Mr. Clay—in December for Gen. Jackson—in February for Mr. Adams.—In three successive months they had three Presidents, and were perfectly satisfied each time, and no doubt should it become necessary for them to experience further change they will be enabled to perform the task without much difficulty.

But it is said Mr. Clay disliked Gen. Jackson so that he could not vote for him. Mr. Clay was a public servant, and was bound to vote for that man whom the people wished. To attempt as an apology for a dereliction of duty, that he himself did not like Gen. Jackson is adding insult to injury—his opinion was no more than that of any other individual—he had no right to choose for the people, particularly as he seems to have been deeply interested in the choice which he made.—When I say deeply interested, I mean so far as office and its emoluments would influence the mind of men. But if personal hostility operated so powerfully upon the mind of Mr. Clay; it was certainly not the case with Mr. Trimble & Mr. Johnston. They hated Mr. Adams, and for any thing that appears had no particular dislike to Gen. Jackson—yet with all their hatred, by some kind of *enchantment* they are got to vote for Mr. Adams—they become very much pleased all at once, and make choice of the man whom nine tenths of the people of Kentucky had denounced.

Before I set down permit me to say that if in the course of this debate, I have made any remarks calculated to wound the feeling of any gen-

tleman in this House, it has not been intended by me—I consider the conduct of public men a proper subject of investigation. Any abuse of power by those who are entrusted by the people, can only be corrected by the people themselves in a display of their sovereign will. It is by vigilance upon the part of the people, that we are to expect their rights to be preserved, and the great principles of the government sustained. Whenever the people shall begin to tolerate abuses and excuse a dereliction of duty, because some popular leader, was thereby promoted; it will not be long before abuses will multiply, and their former acquiescence will be quoted as authority. It is in that way that all free governments have been destroyed, and the people enslaved. What is the question presented to the American people? will you at the next election approve or disapprove of the manner in which Messrs Adams and Clay come into office? Those who believe that they come into power with the approbation of a majority of the people of the United States, will support them, but those who think otherwise, I trust will enter their protest against any such unlawful combination.



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